



Cincinnati Police Department  
**STAFF NOTES**

November 29, 2005

*Colonel Thomas H. Streicher, Jr., Police Chief*

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**1. SUMMER UNIFORM SHIRTS**

The Police Department will distribute summer uniform shirts on an “as needed” basis only. A maximum of two shirts per officer will be issued. District/section/unit supervisors will order the shirts on a Form 17 and include:

- Requesting Unit
- Officer's name
- Badge number
- Shirt neck size
- Chest size for female officers requesting female shirts
- Note left handed personnel
- “Long Body” shirts are available for very tall officers only. Please note “Long Body” on request.

Personnel are reminded to order shirts large enough to accommodate the wearing of body armor.

Submit the requesting Form 17, through the appropriate Bureau Commander, to the Supply Unit no later than Friday, December 23, 2005. The Supply Unit will notify all units when shirts can be picked up.

Each district/section/unit will maintain a check-off list when shirts are distributed.

**2. REVISED ORGANIZATIONAL CHART**

[Attached](#) to these Staff Notes is a current copy of the Department's organizational chart. The organizational narrative is currently under revision.

**3. FORM 318, REPORT OF CONDITIONS AFFECTING OTHER DEPARTMENTS, AVAILABLE ON THE COMPUTER**

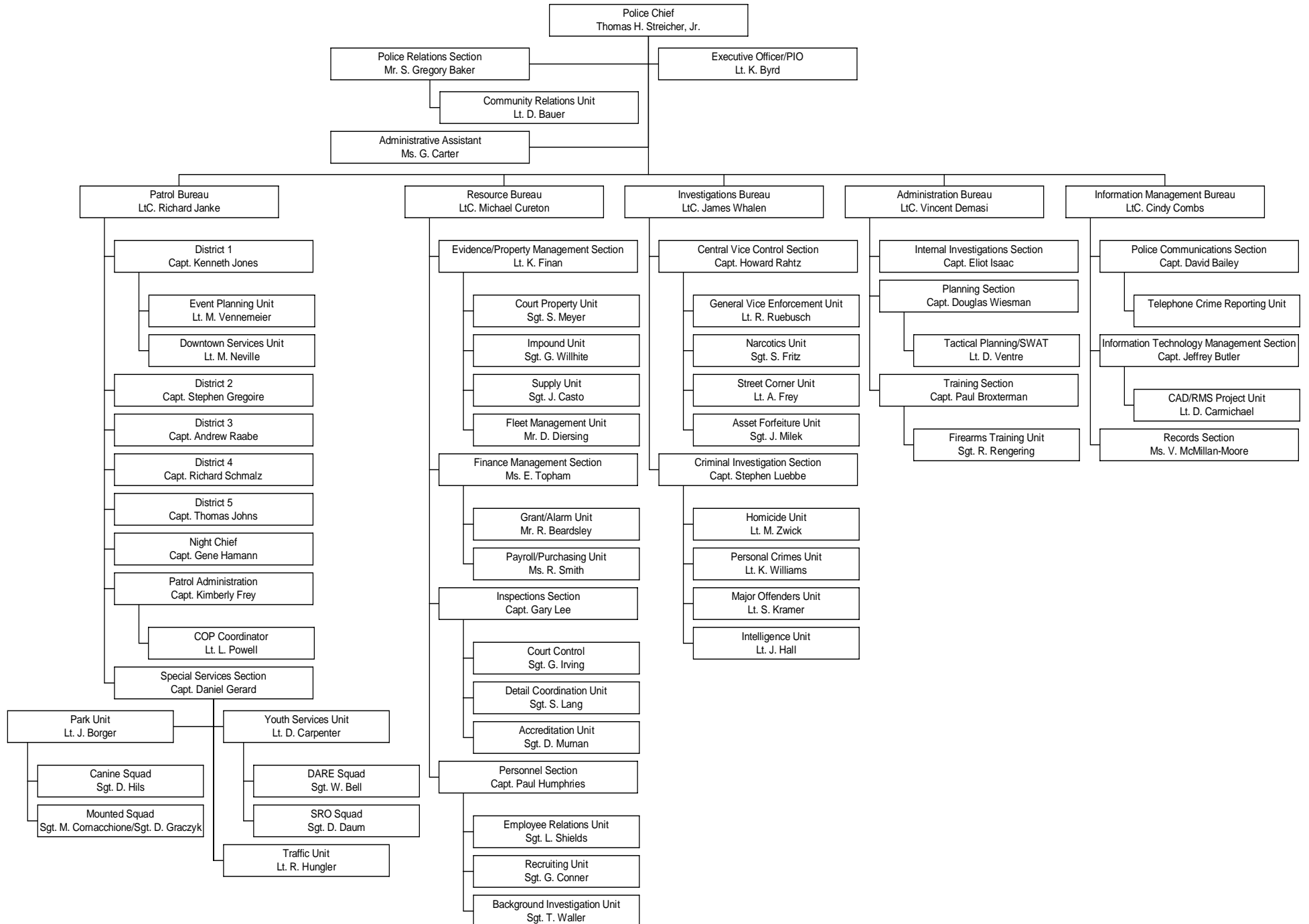
Form 318, Report of Conditions Affecting Other Departments, is now available on the Department computer. To access the Form 318, open the Word application. Select “New” in the file menu, select “General Templates” on the right-hand side of the screen and click on Form 318.

**4. REVISION OF [PROCEDURE 12.806](#), PROCESSING AND ACCESSING SEALED CONVICTION/NON-CONVICTION RECORDS**

Procedure 12.806, Processing and Accessing Sealed Conviction/Non-Conviction Records, has been revised. To view the "Investigatory Work Product" portion of a sealed non-conviction record, officers will make a request on a Form 17 to the Records Section Director via the chain of command. Other minor changes have been made throughout the procedure.

This revision is effective immediately. Personnel should review the procedure in its entirety. The revised procedure is available on the Intranet and on the Department web page.

Cincinnati Police Department  
11/29/05



## 12.806 PROCESSING AND ACCESSING SEALED CONVICTION/NON-CONVICTION RECORDS

### ***Reference:***

Manual of Rules and Regulations – 1.07  
Records Section Standard Operating Procedure  
Ohio Revised Code – Sealing of Record of Conviction, Sections 2953.31 – 2953.61

### ***Purpose:***

To outline methods of processing records and documents created in conjunction with conviction/non-conviction records requiring sealing in accordance with orders from the courts.

To ensure compliance with the law in all such instances.

To outline the types of sealed records maintained by Records Section and how each may be legally utilized by police officers.

To centralize the authority and responsibility for maintaining and coordinating processing of sealed Cincinnati records with Cincinnati Police Records Section.

### ***Policy:***

According to State law, no person who is employed by the Cincinnati Police Department, with the exception of the Records Section Director, shall knowingly release, disseminate, or otherwise make any information contained in a sealed non-conviction record jacket available to, or discuss any information contained in same, with any person not employed by the Department.

### ***Information:***

The Ohio Legislature has passed several statutes which provide the means for persons with conviction and non-conviction history to apply for court orders which require the expungement (for purposes of Ohio law, a "Sealing") of those conviction and non-conviction records and other related indexes.

A computer hit will result whenever a QHW is performed relative to a person with a sealed conviction record that was sealed after September 26, 1984.

Non-conviction records sealed after September 26, 1984, will not result in a computer hit as a result of a QHW. There is no index to sealed non-conviction records sealed after September 26, 1984, available to anyone other than Ohio agency Records Section Directors.

Court sealing orders after September 26, 1984, may require certain actions be performed at the direction of the Records Section Director.

**Procedure:****A. Accessing Sealed Conviction Records**

1. When performing a QHW on an individual with a sealed conviction record, the following message will appear: "For more information, contact the entering agency's Record Unit supervisor". This is an indication that some type of sealed record may be on file with the indicated agency.
2. Access to and copies of sealed Ohio conviction records can be obtained by any police officer under the following conditions:
  - a. If the subject of the sealed record is under arrest or the officer intends to sign a warrant for the subject and the officer wishes to determine if the defendant could be charged as a "Second Offender" on the basis of a previous offense which had been sealed.
    - 1) In a criminal proceeding under the above conditions, a sealed conviction record is admissible evidence of a "Second Offender" status.
  - b. If an officer was personally involved in the sealed case, and is the subject of a civil action arising out of that case, the officer may then use the sealed record in his/her defense.

**B. Accessing Sealed Ohio Non-Conviction Records**

1. Any Cincinnati police officer may view the "Investigatory Work Product" portion of any sealed non-conviction record upon request to the Records Section Director. Requests will be made on a Form 17 via the chain of command.
2. Other law enforcement agencies, under certain conditions, may view certain Cincinnati sealed non-conviction records. Application must be made to the Records Section Director.
3. Cincinnati police officers, under certain conditions, may view the "Investigatory Work Product" portion of non-conviction records in the custody of other Ohio or non-Ohio police agencies. Application must be made to the Records Section Director of that agency.

**C. Processing and Coordinating Court Ordered Sealings**

1. Upon receipt of a court order to seal records, the Records Section Director will:
  - a. Ensure the Records Section sealing process is carried out according to existing Records Section Standard Operating Procedure.
  - b. Notify affected district/section/unit commanders, via Form 17, of the requirements for sealing a record.
2. Upon receipt of a Form 17 from the Records Section Director, indicating action to be taken as a result of a court ordered sealing, the district/section/unit commander will:

- a. Sign all Forms 17 and send through proper channels, along with the required indicated documents, to the Records Section Director for sealing in special files.